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SACRAMENTO COURTS
DEPT. #53 #54

1 CHARITY KENYON, SBN 078823
RIEGELS CAMPOS & KENYON LLP
2 2500 Venture Oaks Way, Suite 220
Sacramento, CA 95833-4222
3 Telephone: (916) 779-7100
Facsimile: (916) 779-7120
4

5 STEVEN BENITO RUSSO, SBN 104858
Chief of Enforcement

6 LUISA MENCHACA, SBN 123842
General Counsel

7 WILLIAM L. WILLIAMS, JR., SBN 99581
Commission Counsel

8 HOLLY B. ARMSTRONG, SBN 155142
Commission Counsel

9 **FAIR POLITICAL PRACTICES COMMISSION**

10 428 J Street, Suite 620
Sacramento, CA 95814
Telephone: (916) 322-5660
11 Facsimile: (916) 322-1932

12 Attorneys for Plaintiff
13

14 SUPERIOR COURT OF THE STATE OF CALIFORNIA

15 IN AND FOR THE COUNTY OF SACRAMENTO
16

17 FAIR POLITICAL PRACTICES COMMISSION,
a state agency,

18 Plaintiff,

19 v.
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21 SANTA ROSA INDIAN COMMUNITY OF THE
SANTA ROSA RANCHERIA dba PALACE
22 BINGO AND PALACE INDIAN GAMING, and
DOES I-XX,

23 Defendants.
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Case No. 02AS04544

DECLARATION OF JEFFREY B.
GARFIELD IN SUPPORT OF
OPPOSITION TO MOTION TO
QUASH

Date: February 20, 2003

Time: 9:00 a.m.

Dept: 54

Judge: Hon. Joe S. Gray

Action Filed July 31, 2002

No Trial Date Set

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1 I, JEFFREY B. GARFIELD, declare as follows:

2 1. I am the Executive Director and General Counsel of the Connecticut Elections
3 Enforcement Commission. I have held that position since July 6, 1979. I am submitting this
4 declaration in support of the California Fair Political Practices Commission's opposition to the motion
5 to quash filed by the Santa Rosa Indian Community of the Santa Rosa Rancheria.

6 2. The Connecticut Elections Enforcement Commission, a five member bi-partisan and
7 independent state commission was created in 1974 in the wake of the Watergate scandal by the
8 Connecticut General Assembly to ensure the integrity of the state's electoral process. The Commission
9 was given the authority to investigate possible violations of the election laws, inspect campaign finance
10 records and reports filed with the Connecticut Secretary of State's office, refer evidence of violations to
11 the Chief State's Attorney or to the Attorney General, issue advisory opinions and make
12 recommendations to the General Assembly concerning revisions to the state's election laws. The
13 Commission's enabling authority can be found in §§ 9-7a and 9-7b, Connecticut General Statutes. The
14 registration and campaign reports that are filed with the Connecticut Secretary of State's office may be
15 viewed on the website for that agency, at
16 <http://www.sots.state.ct.us/ElectionsDivision/CampaignFinance.html>.

17 3. Since 1974, the Commission's investigative and enforcement authority has grown. It has
18 full subpoena power, can impound voting machines and absentee ballots, require a forfeiture of
19 contributions or payments and impose civil penalties against violators. The Commission currently has
20 a permanent full time staff, with eleven authorized positions, headed by the Executive Director and
21 General Counsel. More than 200 investigations are conducted each year, with sanctions imposed in
22 approximately two-thirds of the cases.

23 4. In the State of Connecticut, two Native American Indian tribes operate large, Las Vegas-
24 style gambling casinos on their tribal lands. The Mashantucket Pequot Tribal Nation operates the
25 Foxwoods Casino, and the Mohegan Sun Tribe operates the Mohegan Sun Casino.

26 5. Both the Mashantucket Pequot tribe and the Mohegan Sun tribe fully comply with the
27 State of Connecticut's election and campaign laws. They have formed political action committees, as
28 required by state law, and have registered those committees with the state. They have reported their

1 campaign contribution and expenditure activity fully and on time, and on the forms required by the
2 State, signed under penalty of false statement. Neither tribe has ever contested the jurisdiction of the
3 State Elections Enforcement Commission to require them to submit all the disclosure information
4 required by state election law and to otherwise fully comply with the requirements of state law with
5 respect to their political activities.

6 6. Both tribes have political action committees registered with the State. Both tribes are
7 active politically in Connecticut, in that they make contributions to candidates running for office in the
8 state, and to the state’s political parties. Attached as Exhibit A to this declaration are true and correct
9 copies of documents downloaded from the Connecticut Secretary of State’s website listing the current
10 PAC registration information, and the historical PAC registration information, for the Mashantucket
11 Pequot tribe. Attached as Exhibit B is a true and correct copy of a document downloaded from the
12 Secretary of State’s website listing all the campaign finance reports filed by the Mashantucket Pequot
13 tribe from January 2000 through January 9, 2003. The tribe has filed its reports on time and has listed
14 all the information required by Connecticut law. Attached as Exhibit C to this declaration are true and
15 correct copies of the cover sheets of the tribe’s two most recent filings, which were signed by the PAC
16 treasurer under penalty of false statement. These cover sheets were downloaded from the Secretary of
17 State’s website.

18 7. Attached as Exhibit D to this declaration are true and correct copies of documents
19 downloaded from the Secretary of State’s website listing the current PAC registration information, and
20 the historical PAC registration information, for the Mohegan Sun tribe. Attached as Exhibit E is a true
21 and correct copy of a document downloaded from the Secretary of State’s website listing all the
22 campaign finance reports filed by the Mohegan Sun tribe from January, 2000 through January 9, 2003.
23 The tribe has filed its reports on time and has listed all the information required by Connecticut law.
24 Attached as Exhibit F to this declaration are true and correct copies of the cover sheets of the tribe’s
25 two most recent filings, which were signed by the PAC treasurer under penalty of false statement.
26 These cover sheets were downloaded from the Secretary of State’s website.

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1 I declare under penalty of perjury under the laws of the State of California that the foregoing is
2 true and correct of my own knowledge, and that if called upon I could and would competently testify
3 thereto. Executed this 31st day of January, 2003, at Hartford, Connecticut.

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6 JEFFREY B. GARFIELD
7 Executive Director and General Counsel
8 Connecticut State Elections Enforcement Commission
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